IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 9TH NOVEMBER 2006 / 18TH KARTHIKA 1928

WP(C).No. 17281 of 2006(G)

PETITIONERS:

1. BHASI, S/O.KUMARAN,
MADATHIPARAMBIL, THIRUTHIPARAMBIL DESAM,
ALUR VILLAGE, MUKUNDAPURAM TALUK.

2. P.N.MURALI, S/O.NARAYANAN,
VELLANCHIRA DESOM, ALUR VILLAGE,
MUKUNDAPURAM TALUK.

3. ROSY DEVASSY,
W/O.LATE DEVASSY, VELLANCHIRA DESOM,
ALUR VILLAGE, MUKUNDAPURAM TALUK.

4. SUDHAKARAN,
S/O.KRISHNAN, INCHIPULIKKATTIL,
THAZEKKATTU VILLAGE,
MUKUNTHAPURAM TALUK.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS:

1. DISTRICT COLLECTOR,
THRISSUR.

2. COMPETENT AUTHORITY,
DEPUTY COLLECTOR N.H.D.P.,
CHEMBAKAVU, THRISSUR.

3. SPECIAL DEPUTY COLLECTOR,
SPECIAL LAND ACQUISITION OFFICER AND COMPETENT
AUTHORITY,
N.H.D.P.OFFICE, THRISSUR-20.

4. B.JAGADAMBIKA,
W/O.SUBRAMANIAN, PUTHENVEETTIL,
KOTHAKULANGARA, ANGAMALY, ALUVA.

BY ADV. SRI.KOSHY GEORGE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 17281 of 2006(G)

APPENDIX

PETITIONER'S EXHIBIT

EXT.P1	:	TRUE COPY OF THE OBJECTION FILED BY THE 2ND PETITINER DATED 15.03.05.
EXT.P1(a)	:	TRUE COPY OF THE OBJECTION FILED ON BEHALF OF THE 3RD PETITONER BEFORE THE 2ND RESPONDENT ON 01.02.05.
EXT.P2	:	TRUE COPY OF THE INTERIM INJUNCTION PETITION FILED AS I.A.NO.227/2006 IN O.S.NO.72/2006.
EXT.P3	:	TRUE COPY OF THE COUNTER STATEMENT FILED BY THE ADVOCATE FOR GOVERNMENT ON BEHALF OF THE RESPONDENTS 1 AND 2 HEREIN IN I.A.227/06 IN O.S.72/06 BEFORE THE MUNSIFF COURT CHALAKUDY.
EXT.P4	:	TRUE COPY OF THE NOTICE DATED 24.02.05 ISSUED BY THE 2ND RESPONDENT .
EXT.P5	:	TRUE COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT ISSUED IN THE NAME OF THE PETITINER DATED 15.03.05.

/TRUE COPY/

P.A.TO JUDGE

THOTTATHIL B. RADHAKRISHNAN, J

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W.P.(C). NO.17281 Of 2006

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Dated this the 9TH day of November, 2006

J U D G M E N T

Notice to R2 dispensed with.

2. Petitioners are tenants of the 4th respondent. Buildings in their possession is likely to be acquired under the National Highways Act, 1956. As per section 3G of that Act, there is a provision for settlement of claims as regards compensation. Ext.P3 is the objections filed on behalf of the Government In a civil suit filed by the petitioners. It is clearly stated therein that the stage of proceedings under Section 3G(3) has not yet reached and that appropriate public notice would be issued. In view of such statements in Ext.P3 there is no reason for the petitioners for apprehending that an Arbitration Committee in terms of the said provision would not be constituted. The 1st respondent is directed to take appropriate steps in accordance with law in that regard.

The writ petition is disposed of in the above terms.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

SJ